

Remarks/Arguments

Claims 1–18 stand rejected. No claims are amended. Further examination and consideration of the claims is respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 1–8 and 12–18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,731,212 to Hirose et al. (hereafter Hirose et al.). The rejection is respectfully traversed.

Hirose et al. discloses a tag device having a wire 2 with a base end 21 fixed to a tag body 10 and a forward end 23 connected releasably to the tag body 10. The tag body 10 has a case 1 with a pin insertion hole 13, and a latch member 3 engageable with a lock pin 22 of the forward end 23. A control circuit controls the operation of a solenoid 5 for reciprocating movement of the latch member 3. The base end 21 of the wire 2 is electrically connected. When the lock pin 22 is pushed into the latch member 3, the second thick rod portion 26 of the pin 22 is clamped by a bifurcated upper end of a connector pin 9 connected to a microcomputer 73 generating a signal if the wire 2 is cut. The tag body 10 also has a buzzer 8 incorporated therein, and the control circuit gives an alarm command to the buzzer 8 upon receiving an alarm actuating signal or upon detecting a break in the wire 2, with the lock pin 22 locked by the latch member 3. When a monitoring clerk wants to unlock the lock pin 22, he manipulates the tag control unit to transmit an unlocking signal to the tag body 10, which result that the solenoid operating for releasing the latch member 3. Then the clerk pulls out the lock pin 22 from the tag body 10.

Claim 1 among other limitations calls for (1) a component to be locked by a lock mechanism, (2) a retaining member slidably received in a bore and engageable with the component, (3) a catch member movable between active and inactive positions, and (4) an electronic control unit being responsive to an external signal to effect sealing of the lock mechanism and to operate an auxiliary lock.

Hirose et al. does not disclose a retaining member slidably received in a bore of the housing and engageable/disengageable with the component. Rather, Hirose et al. teaches a shackle in the

form of the wire 2 which directly interacts with the latch member 3. What the Examiner calls a retaining member in Hirose et al. (the shackle 2) is the component in claim 1. There is no equivalent structure to a retaining member in Hirose et al. Because Hirose et al. does not disclose a retaining member slidably received in the bore for movement between a first position where the retaining member is engageable with the component (shackle) and a second position where the retaining member is disposed deeper in the bore and cannot be disengaged from the engaged component as required by claim 1, Hirose et al. does not anticipate claim 1.

Moreover, Hirose et al. does not disclose a catch member as called for in claim 1. What the Examiner calls a catch member in Hirose et al. is the connector pin 9 and it does not move between active and inactive positions. The connector pin 9 has a bifurcated structure to clamp the lock pin 22, and the bifurcated structure might be construed to "move" between active and inactive positions (wider when the thick rod portion 26 is clamped in it, and narrower when it is not), but the connector pin 9 does not move. It is stationary, and is therefore not "moveable." The term "moveable" pertains to a motion of the catch member between two discrete positions. Thus, because Hirose et al. does not disclose a catch member movable between active and inactive positions as required by claims 1, it does not anticipate claim 1.

Furthermore, Hirose et al. does not disclose the control unit being further responsive to an external signal to effect sealing. In Hirose et al., the lock is either locked or unlocked, as there are only signals to lock/unlock and to cancel/activate the alarm (Col. 4, ll. 62-65). In the present invention, the sealing signal occurs by a separate smart card and effects *when* the lock is sealed, and *after* the lock is engaged. It is not merely a signal that locks as taught in Hirose et al. Additionally, Hirose et al. actuates the alarm only upon an unauthorized attempt to open. The locking mechanism of the present invention will notify when the seal is broken, whether authorized or not, as it has the external signal effecting the sealing of the lock mechanism. Thus, because Hirose et al. does not disclose a control unit further being responsive to an external signal to effect sealing of the lock mechanism as called for by the claim 1, it does not anticipate claim 1.

For Hirose et al. to anticipate claim 1, each and every element of the claims must be found in Hirose et al. Claims 2-8, 10 and 12-18 depend either directly or indirectly from claim 1, and are likewise not anticipated for the same reasons set forth with respect to claim 1. Because at least 3

elements of the claims are not found in Hirose et al., Applicants respectfully submit that the anticipation rejection fails and request withdrawal of the rejection.

Rejections Under 35 U.S.C. §103

Claim 9 is rejected under 35 US.C. 103(a) as being unpatentable over Hirose et al. in view of US 6,047,575 to Larson et al. (hereafter Larson et al.). The rejection is respectfully traversed.

Claims 10–11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirose et al. in view of US 6,420,971 to Leck et al. (hereafter Leck et al.). The rejection is respectfully traversed.

Neither Hirose et al., Larson et al. nor Leck et al., alone or in combination, teach the described above elements of claim 1. The addition of Larson et al. or Leck et al. to the teachings of Hirose et al. does not address or overcome the shortcoming of the teachings Hirose et al. with respect to claim 1. Therefore, the rejection of claim 9 over the combination of Hirose et al. over Larson et al. and the rejections of claims 10–11 over the combination of Hirose et al. over Leck et al. fail. The Applicants respectfully request withdrawal of the rejection.

Moreover, because claims 9–11 depend either directly or indirectly from the base claim1, claims 9–11 are allowable at least for the same reasons as set forth with respect to the base claim 1.

Serial No. 10/599,198
Filed: September 22, 2006
Page 9 of 9

Examiner: Christopher J. Boswell
Group Art Unit: 3673

CONCLUSION

In view of the foregoing remarks and arguments, it is submitted that all claims remaining in the application are allowable over the prior art. If there are any remaining issues which the Examiner believes may be resolved in an interview, the Examiner is respectfully invited to contact the undersigned attorney.

Respectfully submitted,
ALAN JAMES MAPLE, ET AL.

Dated: September 15, 2009

By: /Joel E Bair/
Joel E. Bair, Reg. No. 33,356
MCGARRY BAIR PC
32 Market Ave. SW, Suite 500
Grand Rapids, Michigan 49503
616-742-3500
jeb@mcgarrybair.com

G0490381.DOC